

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PATRICK J. O'BRIEN,)
Plaintiff,)
v.) Case No. 4:09CV1320 HEA
MICHAEL J. ASTRUE,)
Commissioner of Social Security)
Defendant,)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation, of Magistrate Judge Thomas C. Mumment, III, that the decision of the Commissioner be affirmed and that this case be dismissed. Neither of the parties have filed objections to the Report and Recommendation within the prescribed time period.

Judge Mummert's Report and Recommendation contains a very thorough analysis of the issues presented, the applicable law and the facts underlying Plaintiff's claim. Therefore, after careful consideration, the Court will adopt and sustain Judge Mummert's Report and Recommendation dated June 30, 2010.

Accordingly,

IT IS HEREBY ORDERED that the decision of the Commissioner is

affirmed and this matter is dismissed.

A separate judgment in accordance with this Opinion, Memorandum and Order is entered this same date.

Dated this 21st day of July, 2010.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE